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REMARKS

Claims 1-9, 11-13, 16-25 and 27-31 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 103(a)

Claims 1-9, 11-13, 16-25 and 27-31 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,030,074 to Barinaga (“Barinaga”) in view of JP 59204566A to Yamazaki et al. (“Yamazaki”) and U.S. Patent No. 5,666,146 to Mochizuki et al. (“Mochizuki”).

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites that a contact prevention member is separated from an entire inner edge of a heat-welded edge of an ink pack.

The Examiner acknowledges that Barinaga fails to teach or disclose the above feature, but contends that Yamazaki does. However, Applicant submits that Yamazaki fails to teach or suggest that wall parts 3 are entirely separate from an inner-most edge of ink pack 1. For example, as shown in Fig. 3 of Yamazaki, a portion of wall parts 3 contact an inner-most edge of outer seal portion 1c. Therefore, assuming outer seal 1c is heat welded, the wall parts 3 are not entirely separated from the inner-most edge, as required by claim 1.

Further, Applicant submits that Mochizuki fails to cure the deficient teachings of Yamazaki.

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Accordingly, Applicant submits that claim 1 is patentable over the cited references, and respectfully requests the Examiner to withdraw the rejection.

B. Claims 2-5

Since claims 2-5 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 6

Applicant submits that claim 6 is patentable over the cited references. For example, claim 6 recites that a contact prevention member is formed by a single rod member. The single rod member is fixed on one interior surface of flexible material of the ink pack by heat welding.

As noted on page 3 of the Office Action, the Examiner acknowledges that Barinaga fails to disclose the claimed contact prevention member (i.e. rod member), but maintains that Yamazaki does. However, as discussed during the August 12, 2003 Examiner Interview, the Examiner suggested rewriting claim 6 in independent form since Yamazaki does not appear to disclose a contact prevention member fixed to an interior surface of ink pack 1 by “heat welding”.

Accordingly, Applicants have rewritten claim 6 into independent form and submit that Yamazaki fails to teach or disclose that a contact prevention member is fixed to an interior surface of ink pack 1 by heat welding. In addition, Applicants submit that Mochizuki fails to cure the deficient teachings of Yamazaki.

In light of the above, Applicants respectfully request the Examiner to withdraw the rejection of claim 6.

D. Claim 7

Since claim 7 is dependent upon claim 1, Applicants submit that claim 7 is patentable at least by virtue of its dependency.

E. Claim 8

Applicants submit that claim 8 is patentable over the cited references. For example, claim 8 recites that an ink flow passage is disposed at a location that is entirely separate from an inner-most edge of a heat-welded edge of an ink pack. Claim 8 further discloses an ink outlet plug member.

On page 4 of the Office Action, the Examiner maintains that outlet piece 2 of Mochizuki discloses the claimed ink flow passage (Fig. 1). However, during the August 12, 2003 Examiner Interview, the undersigned explained to the Examiner that the claimed ink flow passage was not intended to disclose an “ink outlet” (i.e. outlet piece 2 of Mochizuki). Accordingly, the Examiner suggested that such claim be amended to include an ink outlet plug, so that it is clear to the Examiner that the claimed ink flow passage is not intended to be an ink outlet plug (i.e. outlet piece 2 of Mochizuki). Therefore, in light of the clarification to claim 8, Applicant submits that outlet piece 2 of Mochizuki fails to teach or disclose the claimed ink flow passage.

In addition, Applicant submits that Yamazaki fails disclose the claimed ink flow passage, which is entirely separated from an inner-most edge of a heat-welded edge of an ink pack, for analogous reasons as presented above in claim 1.

Accordingly, Applicant submits that claim 8 is patentable over the cited references, and respectfully requests the Examiner to withdraw the rejection

F. Claim 9

Since claim 9 contains features which are analogous to the features disclosed in claim 8, Applicants submit that claim 9 is patentable over the cited references for at least analogous reasons as presented above.

G. Claim 11

Since claim 11 is dependent on claim 8 or 9, Applicants submit that such claim is patentable at least by virtue of its dependency.

H. Claims 12 and 13

Since claims 12 and 13 contain features which are analogous to the features recited in claim 8, Applicants submit that claims 12 and 13 are patentable for at least analogous reasons as presented above. For example, the ink flow passages and outlet port disclosed in claims 12 and 13 are analogous to the ink flow passage and outlet plug member recited in claim 8.

I. Claims 16 and 18

Since claims 16 and 18 contain features which are analogous to the features recited in claim 8, Applicants submit that claims 16 and 18 are patentable for at least analogous reasons as presented above. For example, the protrusions and/or recess and plug member disclosed in claims 16 and 18 are analogous to the ink flow passage and outlet plug member recited in claim 8.

J. Claims 17 and 19-24

Since claims 17 and 19-24 are dependent upon claim 16, Applicants submit that such claims are patentable at least by virtue of their dependency.

K. Claim 25

Since claim 25 is dependent upon claim 8, Applicants submit that such claim is patentable at least by virtue of its dependency.

L. Claims 27

Since claim 27 is dependent upon claim 1, Applicants submit that such claim is patentable at least by virtue of its dependency.

M. Claim 28

Applicants submit that claim 28 is patentable over the cited reference. For example, claim 28 recites that the contact prevention member is attached to an interior surface of an ink pack. However, the contact prevention member is discrete from and does not form a portion of an outer surface of the ink pack.

As discussed above in claim 1, the Examiner maintains that wall parts 3 of Yamazaki disclose the claimed contact prevention member. However, wall parts 3 are disclosed as thick shaped wall parts. Therefore, it appears that wall parts 3 form a portion of surface 1a of ink pack 1. Thus, Applicants submit that wall parts 3 fail to teach or suggest the claimed contact prevention member, which is discrete from and does not form a portion of an outer surface of the ink pack.

Accordingly, Applicant submits that claim 28 is patentable over the cited reference, and respectfully requests the Examiner to withdraw the rejection.

In addition, Applicant submits that claim 28 is patentable at least by virtue of its dependency upon claim 1.

N. Claim 29

Since claim 29 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 29 is patentable over the cited references for at least analogous reasons as presented above in claim 1.

O. Claim 30

Since claim 30 contains features which are analogous to the features recited in claim 28, Applicants submit that claim 30 is patentable for at least similar reasons as presented above.

In addition, Applicants submit that claim 30 is patentable at least by virtue of its dependency upon claim 29.

P. Claim 31

Since claim 31 contain features which are analogous to the features recited in claim 8, Applicants submit that claim 31 is patentable for at least analogous reasons as presented above. For example, the integral portion and plug member disclosed in claim 31 is analogous to the ink flow passage and outlet plug member recited in claim 8.

II. Newly Added Claims

Applicant has added claims 32 and 33 to provide more varied protection for the present invention.

Claim 32 recites that the contact prevention member has a “circular cross-section”. During the August 12, 2003 Examiner Interview, the Examiner indicated that such a feature would be patentable over the cited references, since wall parts 3 of Yamazaki fail to teach or disclose that they have a circular cross-section.

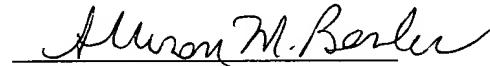
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Further, since claim 33 contains similar features as recited in claim 28, Applicants submit that claim 33 is patentable for at least similar reasons as presented above in claim 28.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 14, 2003